



Attorney Docket No. 42P11240

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Steven M. Bennett et al.

Application No. 09/882,563

Filed: June 15, 2001

For: SELECTING ONE OF MULTIPLE SPEECH  
RECOGNIZERS IN A SYSTEM BASED ON  
PERFORMANCE PREDICTIONS  
RESULTING FROM EXPERIENCE

Examiner: Vijay B. Chawan

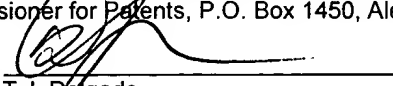
Art Unit: 2654

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)**

Applicant respectfully requests that the holding of abandonment in the subject application be withdrawn.

This petition is being submitted within two months of the mailing of the Notice of Abandonment on May 25, 2005.

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
By:  T.J. Delgado	Date: <u>7/22/05</u>

## STATEMENT OF FACTS

1. The Examiner issued a Notice of Abandonment in the subject application because Applicant failed to pay the required issue fee and publication fee as indicated in the Notice of Allowance mailed on January 13, 2005.
2. Applicant did not receive the Notice of Allowance mailed on January 13, 2005 because the notice was addressed to a party that is no longer responsible for the prosecution of this application.
3. Applicant filed a Revocation of Power of Attorney and Change of Correspondence Address on February 4, 2004 indicating that all communications concerning the application should be sent to Steven P. Skabrat, c/o Blakely, Sokoloff Taylor and Zafman LLP (hereafter BSTZ). Applicant received a return receipt postcard from the Office, which indicated that the Change of Correspondence Address was received on February 6, 2004.
4. When BSTZ accessed the PAIR system on June 15, 2005 to determine the status of the application, it was discovered that the Notice of Allowance had been mailed to an address other than that specified in the Change of Correspondence Address, and that the application had subsequently been abandoned for failure to pay the issue fee.

## REMARKS

Applicant respectfully requests that the holding of abandonment in the subject application be withdrawn and that the application be allowed to issue, since Applicant did not receive the Notice of Allowance due to the non-processing of the Change of Correspondence Address received by the Office on February 6, 2004.

The following are enclosed herein in support of this petition:


1. A copy of the Revocation of Power of Attorney and Change of Correspondence Address filed by Applicant on February 4, 2004;
2. A copy of the stamped return receipt postcard indicating that the above was received by the Office on February 6, 2004;
3. A copy of page 1 of the Notice of Allowance and Fee(s) Due mailed on January 13, 2005, indicating it was sent to a mailing address other than that specified in the Change of Correspondence Address; and
4. Full payment of the issue fee and publication fee as requested in the Notice of Allowance and Fee(s) Due.

If any additional charges are due, please charge them to Deposit Account No.  
02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: July 5, 2005

  
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